



### REMARKS

Claims 1 to 20 are pending and stand rejected. The Examiner's reconsideration is respectfully requested in view of the following remarks.

Claims 1 to 20 were rejected under 35 U.S.C. 103 as unpatentable over Hall in view of Schuetze. The Examiner stated,

"Hall teaches a method/system of mediating access to a person's availability information via a communication medium ... Hall fails to teach an inventive concept of and presenting back to the individual the persons' up-to-date availability information processed by the associated filter. However Schuetze teach an inventive concept of and presenting back to the individual the person's up-to-date availability information processed by the associated filter (*see column 1 lines 45-62*). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the inventive concept of Hall to include Schuetze inventive concept of and presenting back to the individual the person's up-to-date availability information processed by the associated filter because this would have provided relevant information which has been recently published or altered."

Applicant respectfully disagrees and the rejection is respectfully traversed.

Claims 1 and 11 are directed to methods of mediating access to a person's "availability information" and "presenting back to a [requesting] individual the person's up-to-date availability information processed by the associated filter". Claim 20 is directed to a program storage device executable by computer for performing method steps for mediating access to a person, including the person's "availability information" and "presenting back to the identified individual the person's filtered information corresponding to the selected filter". As previously explained, the "availability information" as claimed refers to information on the availability of the person to whom

access is sought. Examples of availability information include a calendar, a schedule, or range of time during which the person is available to communicate with the individual seeking access to the person (*see page 8 of Amendment of February 5, 2004*). Hall discloses use of electronic mail channels for restricting access to a user's e-mail inbox for purposes of avoiding unwanted e-mails. In Hall's proposed method, the individual either gains access to a person if he possesses a channel identifier or is denied access if he does not have the channel identifier. The person (account owner) does not provide any information on his availability. Thus, Hall neither discloses nor suggests use of a person's "availability information". It then follows that Hall fails to teach a person's "up-to-date availability information", as claimed in claims 1, 11, and 20. Further, the Examiner concedes that Hall also fails to teach "*presenting back* to the individual the person's *up-to-date availability information* processed by the associated filter", as further essentially claimed in claims 1, 11, and 20.

Schuetze discloses a method for searching for information on a computer network. A search engine selectively searches user queries for relevant current information based on user personal search information or filtering profiles. A filtering program evokes a web crawler to search selected or ranked servers on the web based on the user's selected search strategy or ranking selection. The filtering program directs the web crawler to search a pre-determined number of ranked servers based on criteria such as relevancy and the frequency of when content is altered. The searched information is then provided to the user. Nothing disclosed in Schuetze has anything to do with the subject matter

recited in the claims of the present application, i.e., a method/device for mediating access to a person.

Nor is there any commonality in either the technical field or in the problem to be solved in Schuetze and Hall. Hall is directed to an e-mail access control program and Schuetze is directed to a method of performing searches with a search engine. One skilled in the art looking for a solution to a problem with gaining access to a person would not look to Schuetze's method of searching or use a search engine of any kind. Thus, Schuetze is not analogous art to Hall nor to the subject matters of the present invention. Therefore, combination of the teachings of Schuetze to Hall would be improper.

Even if, assuming arguendo, that Schuetze was combinable with Hall, the combined teaching does not suggest the elements of claims 1, 11 and 20. The passage often cited by the Examiner (*column 1, lines 45-62 of Schuetze*) discloses problems encountered by users of conventional search engines in not obtaining up-to-date information and the conventional search engines do not typically use a user's personal search information in updating the search engine index. Schuetze proposes that relevant information which has been recently published or altered on the web should be provided by the search engine, and user's personal search information should also be used in order to provide relevant current information. Neither in the above cited passage nor anywhere else does Schuetze ever discuss anything about mediating access to a person, person's availability information, or up-to-date availability information. The "up-to-date information" Schuetze refers to relates to recently altered information. The filter

described in Schuetze related to filtering based on rank and frequency of change.

Accordingly, the Hall/Schuetze combination does not suggest or disclose the person's "availability information", the person's "up-to-date availability information processed by the associated filter", nor "presenting back the up-to-date availability information ...", as claimed in claims 1, 11 and 20. Therefore, claims 1, 11 and 20 are not rendered obvious by Hall in view of Schuetze. The Examiner's reconsideration of the rejection is respectfully requested.

Claims 2 to 10 depend upon claim 1. Claims 12 to 19 depend upon claim 11. The dependent claims are patentable for the same reasons given above for the independent claims.

For the foregoing reasons, the present application including claims 1 to 20 is believed to be in consideration for allowance. Early and favorable action is respectfully urged.

Respectfully submitted,



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